

REMARKS

Claim 5 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement with respect to the limitation "terminal connector which penetrates from inside of the battery to the outside of the battery". This limitation has been deleted from claim 5.

Claims 1-3 and 5 are rejected under the second paragraph of 35 U.S.C. § 112 as failing to provide proper antecedent basis for the limitation "said negative and positive electrode assemblies". The limitation "said negative and positive electrode assemblies" in claims 1-3 and 5 has been amended to read --said negative and positive electrode terminal assemblies--.

Claim 3 has also been amended to delete a double occurrence of the term "said".

Removal of the 35 U.S.C. § 112 rejections of the claims is believed to be in order and is respectfully requested.

Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Kawamura et al. (U.S. 2003/0064285) (hereinafter: "Kawamura"). Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamura.

Kawamura has an effective date under 35 U.S.C. § 102(e) of September 30, 2002. This date is subsequent to the priority date claimed in the present application, i.e., the August 5, 2002, filing date of Japanese Application No. 2002-226840. In order to overcome the rejections and remove Kawamura as a reference, applicants are perfecting their claim to priority by submitting herewith an English translation of Japanese Application No. 2002-226840 and a statement of the translator that the translation is accurate.

Removal of the 35 U.S.C. 102 and 103 rejections of the claims is believed to be in order and is respectfully requested.

The foregoing is believed to be a complete and proper response to the Office Action dated October 17, 2006, and is believed to place this application in condition for allowance. If, however, minor issues remain that can be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number indicated below.

In the event that this paper is not considered to be timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 111833.

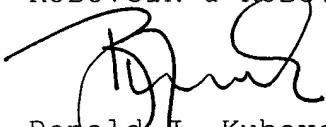
PATENT APPLN. NO. 10/633,418
RESPONSE UNDER 37 C.F.R. §1.111

**PATENT
NON-FINAL**

In the event any additional fees are required, please also charge our Deposit Account No. 111833.

Respectfully submitted,

KUBOVCIK & KUBOVCIK



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Attachments: English translation of Japanese Application No. 2002-226840 and Statement